

REMARKS

The Examiner's Action mailed on January 25, 2008, has been received and its contents carefully considered.

In this Amendment, Applicant has amended claims 1, 5 and 6, canceled claim 20, and added claim 21. Claims 1, 19 and 21 are the independent claims. Claims 1-19 and 21 are pending in the application, while claim 19 is withdrawn from consideration. For at least the following reasons, it is submitted that this application is in condition for allowance.

The Examiner's Action has rejected claims 1, 9, 13 and 14 as being anticipated by *Takahashi et al.* (USP 7,243,569) (hereafter simply *Takahashi*). The Examiner's Action has further rejected claims 1-9 and 13-18 as being anticipated by *Shimizu et al.* (USP 6,838,844) (hereafter simply *Shimizu*). Independent claim 1 has been amended to include all of the features of original claim 5, which are not disclosed or suggested by *Takahashi*. Thus, the Examiner's rejections of claim 1, and claims 9, 13 and 14 dependent therefrom, based upon *Takahashi*, have been rendered moot. Further, Applicant will treat the Examiner's rejection of claim 5 as being pertaining to amended claim 1. It is submitted that these claims are not anticipated by *Shimizu* for at least the following reasons.

Independent claim 1 is directed to an electric power steering device that includes, *inter alia*, a rotation angle detecting means and a rotor co-rotatable with a rotation shaft. The rotation angle detecting means includes a stationary portion and a movable portion. The rotor includes a rotor body, and a rotor magnet attached to the rotor body in a co-rotatable manner. The rotor body includes an outer tubular portion, a shaft portion and a cover. Claim 1 further recites that

the rotor magnet is fixed to the outer tubular portion, the shaft portion is provided coaxially with the outer tubular portion and retains the movable portion of the rotation angle detecting means, and the connection portion connects the outer tubular portion and the shaft portion. The provision of the claimed rotor body, that fixes the rotor magnet thereto and retains the movable portion, facilitates the positioning of the movable portion with respect to the magnetic poles of the rotor magnet solely in the rotor unit, as is described by the specification at paragraph [0048], lines 1-4. The claimed invention is not disclosed or suggested by the cited reference.

Shimizu is directed to an electric power steering apparatus which includes, *inter alia*, a rotating shaft 51, a rotor 52, a stator 54, and a rotation angle detector 23 (see *Shimizu*, col. 6, line 29, col. 7, lines 62-65, Figure 4). The Examiner equates the element 51 disclosed by *Shimizu* with the claimed rotor body.

However, *Shimizu*'s element 51 is a rotating shaft that is rotatably supported by a pair of ball bearings 55 and 56 (see col. 7, lines 65-66). The rotating shaft 51 has a fore-end forming an output shaft 19a of the motor 19, and a rear end on which the motor rotational angle detector 23 is mounted (see col. 7, line 67, through col. 8, line 10). *Shimizu* further recites that a rotor 23a is fixedly mounted on the rotating shaft 51 (see col. 8, lines 12-13). As such, since *Shimizu* consistently specifies the element 51 as being a shaft, rather than a portion of a rotor, it is clear that *Shimizu*'s element 51 is a rotating shaft, but is not equivalent to the claimed rotor that is co-rotatable with the rotation shaft.

The Examiner equates a portion of *Shimizu*'s shaft 51 (in contact with the rotor 52) with the outer tubular portion of the claimed rotor body, the proximate end of *Shimizu*'s shaft 51 with

the claimed shaft portion of the claimed rotor body, and the portion of *Shimizu*'s shaft 51 between the contacting portion and the proximate end with the connection portion of the claimed rotor body. However, as is clearly shown in *Shimizu*'s Figure 4, the proximate end is the rotation shaft 51 itself, rather than a separate element that is co-rotatable with the rotation shaft 51. Further, *Shimizu* does not disclose or suggest any rotation shaft other than the element 51. Thus, there is no disclosure or suggestion that *Shimizu*'s element 51 is co-rotatable with any other rotation shaft, as would be required by claim 1.

In contrast, the claimed rotor body co-rotates with the rotation shaft, and includes a shaft portion retaining the tubular portion. For example, as illustrated in Applicant's Figures 4A-4F, the rotor body 31 includes an outer tubular portion 61, a shaft portion 51, and a connection portion 52. The rotation shaft 15 or 8 is inserted into the shaft portion 51, and, thus, the rotor body 31 co-rotates with the rotation shaft 15 or 8. The rotor body 31 fixes the rotor magnet 32 thereto and retains the movable portion 29, at the same time.

Accordingly, *Shimizu* does not disclose or suggest the rotor body, as recited in claim 1. It is thus submitted that claim 1 is *prima facie* patentably distinguishable over the cited reference. Accordingly, it is requested that the rejection be withdrawn, and claim 1 be allowed.

Because claims 2-9 and 13-18 depend from independent claim 1, it is submitted that these claims are *prima facie* patentably distinguishable over the cited reference for at least the same reason as claim 1, as well as for additional features recited therein.

In addition, claim 5 recites that the outer tubular portion, the shaft portion and the connection portion are formed integrally, which is not disclosed or suggested by the cited reference.

Further, claim 8 recites that the shaft portion of the rotor body has a coupling portion for coupling the rotation shaft of the motor to the shaft portion of the rotor body. In contrast, *Shimizu*'s Figure 4 only shows that the shaft 51 is disposed inside the motor 19. However, the shaft 51 itself is the shaft of the motor, and, thus, cannot have the coupling portion, as recited in claim 8.

It is thus requested that the rejections be withdrawn, and claims 2-9 and 13-18 be allowed.

The Examiner's Action has further rejected claims 10-12 as being obvious over *Takahashi* in view of *Cheng* (USP 6,164,407). However, claims 10-12 depend from independent claim 1 that has been amended to include all of the features of original claim 5, which are not disclosed or suggested by *Takahashi* or *Cheng*. It is thus submitted that the Examiner's rejections of claims 10-12, based upon *Takahashi* or *Cheng*, have been rendered moot.

The Examiner's Action has further rejected claims 10-12 as being obvious over *Shimizu* in view of *Cheng*. Because claims 10-12 depend from independent claim 1, and because *Cheng* does not overcome the above-noted deficiencies of *Shimizu*, it is submitted that claims 10-12 are *prima facie* patentably distinguishable over the cited references for at least the same reason as claim 1, as well as for additional features recited therein. Accordingly, it is requested that the rejections be withdrawn, and claims 10-12 be allowed.

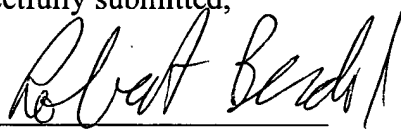
New independent claim 21 has been added, and includes all of the features of amended independent claim 1. It is thus submitted that claim 21 is *prima facie* patentably distinguishable over the cited references for at least the same reason as claim 1, as well as for additional features recited therein. Accordingly, it is requested that claim 21 be allowed.

It is submitted that this application is in condition for allowance. Such action and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of the application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should any fees be required, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 18-0002, and advise us accordingly.

Respectfully submitted,



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Date

Robert H. Berdo, Jr. - Registration No. 38,075
RABIN & BERDO, PC - Customer No. 23995
Telephone: 202-371-8976
Facsimile: 202-408-0924

RHB/JJ